

*Attorneys for Defendant,  
Andrew Anglin*

Defendant.

## DEFENDANT'S OPPOSITION TO MOTION TO STRIKE

**DEFENDANT’S OPPOSITION TO MOTION TO STRIKE**

Under Fed. R. Civ. P. 72(b)(3), this Court reviews the Magistrate Judge’s disposition of the pending motion to dismiss for failure to state a claim *de novo*. Thus, for such *de novo* review, Defendant, Andrew Anglin, believed the Sixth Circuit’s recent decision in *Nwanguma v. Trump* to be pertinent as the allegations against him are akin to the allegations against then-Candidate Trump and the identical First Amendment principles apply. Local Rule 7.4 does not provide for striking notices of supplemental authority with which an opposing party disagrees. In fact, the only rule that governs striking documents is Fed. R. Civ. P. 12(f), which only permits the striking of a “pleading.”

The notice meets the requirements of the Rule. The Court is capable of determining whether the *Nwanguma* decision is pertinent, and what weight to give it. Striking the notice is not permitted, nor does it make any sense.

Plaintiff has already, in the form of her motion, filed a substantive response to the notice. However, if there is more Plaintiff wishes to say, Defendant will not object to Plaintiff’s requested alternative relief, for leave to respond.

Dated: September 24, 2018.

Respectfully submitted,

/s/ Marc J. Randazza

Marc J. Randazza (*pro hac vice*)  
RANDAZZA LEGAL GROUP, PLLC  
2764 Lake Sahara Drive, Suite 109  
Las Vegas, Nevada 89117

/s/ Jay M. Wolman

Jay M. Wolman (*pro hac vice*)  
RANDAZZA LEGAL GROUP, PLLC  
100 Pearl Street, 14th Floor  
Hartford, Connecticut 06103

/s/ Mathew M. Stevenson

---

Mathew M. Stevenson  
STEVENSON LAW OFFICE  
1120 Kensington, Suite B  
Missoula, MT 59801

*Attorneys for Defendant,  
Andrew Anglin*

Case No. 9:17-cv-50-DLC-JCL

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on September 24, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document being served via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Marc J. Randazza

Marc J. Randazza

**RANDAZZA** | LEGAL GROUP